

Petition for Termination of Guardianship

| | | | |
|--------------------------|----------------------|---|--|
| | | MARIA BAUTISTA , paternal grandmother/guardian, is petitioner. Court Investigator report filed 3/7/2016. See petition for details. | NEEDS/PROBLEMS/COMMENTS: 1. Item 5 of petition regarding reason for termination of guardianship is blank. 2. Need proof of mailed service of <i>Notice of Hearing</i> on: a. Antonio Bautista (paternal grandfather) b. Victor Manuel Noriega (maternal grandfather) c. Kathy Ann Noriega (maternal grandmother) |
| | | | |
| | | | |
| | | | |
| Cont. from 031416 | | | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail w/o | | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| ✓ | Pers.Serv. w/ | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| ✓ | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: SEF |
| | | | Reviewed on: 4/19/2016 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 1- Bautista |

2 Ulises Chavez (GUARD/P)**Case No. 09CEPR01014**

Petitioner: Raina Salinas (pro per)

Attorney: Miguel Jimenez (for Guardian Antonio Contreras)

Petition for Termination of Guardianship

| | | | | |
|-------------------|----------------------|----|---|--|
| | | | RAINA SALINAS , mother, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | Please see petition for details. | |
| | | | Objections to Termination of Guardianship with POS filed by Antonio Chavez on 4/12/16. | Minute order dated 3/3/16 (on Antonio Contreras's petition to terminate visits) states Mr. Contreras is to bring paper-proof of the CPS action in Florida that he referenced in his petition. |
| Cont. from | | | Court Investigator Report filed on 4/19/16 | |
| | Aff.Sub.Wit. | | | <ol style="list-style-type: none"> 1. Need proof of service of the Notice of Hearing or declaration of due diligence on: <ol style="list-style-type: none"> a. Ulises Chaves (father) b. Filimon Chaves (paternal grandfather) c. Ramon Salinas (maternal grandfather) <p>Note: Minute order dated 3/3/16 modified visitation as follows:</p> <p>Visitation for Raina Salinas to Saturdays at 3 pm to Sundays at 3 pm. Each receiving party is to pick up the minor timely. Ms. Salinas is not to send a third party person to pick the minor up; if she does, she will forfeit that visit. The modified visitation began on 3/5/16.</p> |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | |
| | Aff.Mail | | | |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| ✓ | Pers.Serv. | W/ | | |
| | Conf. Screen | | | |
| | Letters | | | |
| | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | | Reviewed by: KT |
| | | | | Reviewed on: 4/19/16 |
| | | | | Updates: |
| | | | | Recommendation: |
| | | | | File 2- Chavez |

Probate Status Hearing

RE: Receipt for Blocked Account

| | | | |
|--------------------------|----------------------|---|---|
| | | STEPHANIE N. ROMANS is Administrator. | NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Receipts for blocked accounts for each minor were filed 4/4/16. |
| | | Administrator's Petition for Final Distribution was granted on 2/22/16. | |
| | | In the Order for Final Distribution filed 2/22/16, the Court required the three minor beneficiaries' shares to be placed into blocked accounts. | |
| Cont. from 032116 | | The Court set this status hearing for the filing of the receipts for blocked accounts. | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Receipts filed 4/4/16 | |
| <input type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | | |
| <input type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: skc |
| | | | Reviewed on: 4/20/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 3- Oh |

Attorney Cunningham, Nikole E. (of McCormick Barstow, for Michelle K. Johnson – Daughter)
 Respondent Reynolds, Christine (formerly represented by Attorney Natalie R. Nuttall)

Status Re: Opening Probate for Distribution as Contemplated in the Settlement Agreement

| | | | |
|---------------|--|--|---|
| DOD: 10/3/12 | | Estate History: | NEEDS/PROBLEMS/ COMMENTS: |
| | | | |
| | | <p>MICHELLE K. JOHNSON, Daughter, filed a Petition for Letters of Administration on 1/22/13. The petition estimated personal property valued at \$47,000 and real property valued at \$150,000 (total est. estate value \$197,000).</p> | <p><u>SEE ADDITIONAL PAGES</u></p> |
| | | | |
| Aff.Sub.Wit. | | <p>Minute Order 2/21/13 (hearing on Petition for Letters of Administration) stated: Mr. Russo is appearing for Christine Reynolds, a beneficiary. Mr. Russo informs the Court that he has just been retained and is in possession of Will and trust documents. Ms. Cunningham contests the Will and Trust indicated by Mr. Russo. Mr. Russo informs the Court that he will be filing a petition. Parties agree that this matter will be continued to the date agreed upon by all counsel once Mr. Russo's petition is filed.</p> | |
| Verified | | | |
| Inventory | | <p>On 4/9/13, Ms. Johnson also filed a Petition for findings of Financial Elder Abuse, Conversion, and Recovery of Estate Property (Prob. Code §850).</p> | |
| PTC | | | |
| Not.Cred. | | <p>CHRISTINE REYNOLDS, respondent and friend of decedent, filed an Objection to the Petition for finding of Elder Abuse, etc., on 7/2/13.</p> | |
| Notice of Hrg | | | |
| Aff.Mail | | <p>On 7/8/13, the 850 petition was set for settlement conference.</p> | |
| Aff.Pub. | | | |
| Sp.Ntc. | | <p>On 1/7/14, Ms. Reynolds filed an Ex Parte Petition for Letters of Special Administration, which was granted on 1/7/14. Order authorized Ms. Reynolds to obtain financial account statements. The order expired 4/7/14.</p> | <p>Reviewed by: skc</p> |
| Pers.Serv. | | | |
| Conf. Screen | | <p>Later, on 6/9/14, Ms. Johnson filed a Petition for Letters of Special Administration for the same purpose. At hearing on 7/16/14, the petition was granted for the limited purpose of securing information regarding accounts in the decedent's name. The order expired 10/16/14.</p> | <p>Reviewed on: 4/20/16</p> |
| Letters | | | |
| Duties/Supp | | <p><u>SEE ADDITIONAL PAGES</u></p> | <p>Updates:</p> |
| Objections | | | |
| Video Receipt | | | <p>Recommendation:</p> |
| CI Report | | | |
| 9202 | | | <p>File 4- Smith</p> |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |

Page 2

At status hearing re special administration on 10/16/14, the matter was set for settlement conference and trial. Minute Order of 10/6/15 states that a written agreement is signed in open court and the Court ordered that the settlement and release signed today will constitute the settlement of all outstanding issues with regard to this estate. Ms. Cunningham to file a copy of the agreement. Trial vacated.

On 10/6/15, Notice of Settlement was filed. The Settlement and Release Agreement provides that the parties agree to sell the house and divide the proceeds. In addition, Ms. Johnson will receive all remaining proceeds from the sale of the decedent's insurance company, estimated at \$25,000, and all personal property and vehicle currently held in Ms. Reynolds' name. The parties agree that "Petitioner shall cause the Action to be dismissed with prejudice" within 10 days after close of escrow.

Note: On 2/26/16, Attorney Nuttall substituted out as Ms. Reynolds' attorney of record.

On 3/10/16, Ms. Johnson submitted a Request for Dismissal of the entire action. Dismissal was not entered because upon review of the settlement agreement, it appeared that the parties had agreed to sale and distribution of assets, but the estate had never been formally opened for authority to do so. Therefore, the Court set this status hearing and sent notice to Ms. Johnson's attorney.

On 4/12/16, a second Request for Dismissal of the Petition for Letters of Administration was filed. Again, dismissal was not entered because this status hearing was upcoming.

Status Report filed 4/18/16 by Attorney Ryan Marshall of McCormick Barstow states: Although a substitution of attorney has not been received by Petitioner's counsel, he is informed and believes that Respondent Christine Reynolds is currently in pro per. Petitioner's counsel is unaware of her address, so this report was served to Attorney Nuttall. This matter initially settled on 10/6/15 and the agreement was reduced to writing. The agreement addressed distribution of the vehicle, the remaining proceeds from the decedent's business, the procedure for preparing the residence occupied by Respondent to be sold, the division of the residence sale proceeds, and Petitioner taking possession of certain personal property from the residence. Pursuant to the settlement agreement, Petitioner took possession of the personal property, the vehicle, and the business sale proceeds. The residence was sold in January 2016. A further agreement was reached on or about 2/16/16 re allocation of sale proceeds. See attached. Petitioner and Respondent were issued checks from the office of Petitioner's counsel. As a result of the performance of the settlement agreement and subsequent agreement on proceeds allocation, there are no assets to be distributed, and any necessity to open a probate has been negated. Based on the foregoing, Petitioner requests the Court dismiss this matter in its entirety, with prejudice, without further appearance of counsel.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. Need authority for distribution of assets pursuant to the settlement agreement including real and personal property with a total estimated estate value of approx. \$200,000 without administration under §8000, appointment of a personal representative, notice to creditors, notice to agencies including Dept. of Health Care Services and the CA Franchise Tax Board per §9202, inventory and appraisal, and final account or waiver thereof.

Although the parties reached a settlement for ultimate distribution, such distribution does not appear appropriate given the above-noted facts.

Attorney J. Stanley Teixeira (for Conservator Beverly Ann Hall)

Probate Status Hearing Re: Filing of Second Account

| | | | |
|---------------|--|---|---|
| | BEVERLY ANN HALL , sister, was appointed Conservator of the Person and Estate 4/4/2013. | | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | | OFF CALENDAR |
| | | | |
| Cont. from | Order Settling First Account and Report of Conservator was filed 7/10/2014. | | Second Account and Report of Conservator was filed 4/20/2016 and is set for hearing on <u>6/7/2016</u> . |
| Aff.Sub.Wit. | | | |
| Verified | | | 1. Need second account of the conservatorship estate, or a verified Status Report and proof of service of notice of this Status Hearing with a copy of the Status Report to all interested parties pursuant to Local Rule 7.5(B). |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | Notice of Setting Hearing filed 3/18/2016 set this status hearing on 4/25/2016 for filing of the second account. | |
| Aff.Mail | | Clerk's Certificate of Mailing shows the notice was mailed to Attorney Teixeira on 3/18/2016. | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | Reviewed on: 4/19/16 |
| Aff. Posting | | | Updates: 4/20/16 |
| Status Rpt | X | | Recommendation: |
| UCCJEA | | | File 5- Dhooghe |
| Citation | | | |
| FTB Notice | | | |

Probate Status Hearing RE: Transfer of Personal Property

| | | |
|----------------------------------|---|---|
| DOD: 01/08/15 | BROOKE A. CASTLE , Granddaughter, was appointed Conservator of the Person and Estate on 8-15-13. | NEEDS/PROBLEMS/COMMENTS: |
| | | |
| | | |
| | | |
| Cont. from 011116, 031416 | Conservator's Second and Final Account was approved on 11/09/15. The Order Settling Second and Final Account authorized the conservator to transfer the balance of the property on hand, after payment of authorized fees, to Clayton James Stott, Successor Trustee of THE PATRICIA STOLL GREGORY STOLL SURVIVOR'S TRUST. An affidavit pursuant to Probate Code §§ 13100 – 13116 by Clayton James Stott was filed 10/19/15. | Minute Order 3/14/16: Counsel represents that the Conservator and the Trustee have plans to meet next week for the transfer of property. |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | Minute Order from 10/19/15 set this status hearing regarding transfer of personal property. | |
| Sp.Ntc. | | |
| Pers.Serv. | Declaration of Summer A. Johnson filed 3/10/16 states the conservatee's personal property is presently located in a storage unit. Unfortunately, the trustee is unable to transfer the financial responsibility and take possession of the storage unit and items therein unless he appears in person at the storage unit. The trustee presently resides in the State of Washington. The Trustee has purchased airline tickets to travel to Fresno on March 22-24, 2016. Ms. Castle, the conservator, has indicated that she is not able to meet with the trustee that week because it coincides with Spring Break. Ms. Johnson has made a request of Ms. Castle's attorney, Mr. Shahbazian, that he or someone from his office provide access to the storage unit while the Trustee is in Fresno and she is awaiting confirmation from his office that someone will be able to meet with the trustee. | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | Reviewed by: JF/skc |
| Status Rpt | | Reviewed on: 4/20/16 |
| UCCJEA | | Updates: 4/21/16 |
| Citation | | Recommendation: |
| FTB Notice | Status Report filed 4/21/16 states Mr. Stott met with the conservator and other family members at the storage unit where the conservatee's personal property was being held. | File 6- Stott |
| | SEE PAGE 2. | |

Page 2

Status Report filed 4/21/16 by Summer Johnson, attorney for Trustee Clayton James Stott, states Mr. Stott met with the conservator and other family members at the storage unit where the conservatee's personal property was being held. Other than the Conservatee's jewelry, it appears the majority of the personal property was held at the storage locker, with the exception of a German clock that couldn't be located, and several statues.

The parties present didn't have any information regarding the whereabouts of the German clock and it was theorized that Mrs. Stott's deceased son, Tim Stott, may have given it away during his lifetime. Additionally, it was reported that the statues were apparently broken during the conservatee's lifetime and disposed of.

Later that day, a meeting was held at the offices of Dowling Aaron Incorporated between Mr. Stott, the Conservator, some beneficiaries of the trust, and related family members, at which meeting the Conservator delivered the jewelry. As a result, some personal property items have been able to be delivered to their intended recipients pursuant to the trust.

Ms. Johnson requested that Mr. Shahbazian propose a receipt for Mr. Stott to execute in order for his client to be discharged as conservator. Additionally, she requested that the Conservator provide an informal accounting of any funds which were to be distributed from the conservatorship to Mr. Stott as trustee to the extent that funds had been utilized by the conservator since the end of the account period. Cash on hand at the end of the account period 6/22/15 was \$2,928.46.

The informal account was requested due to the fact that the storage unit was held in the name of the conservator's mother, and not in the name of the conservatorship, and was also storing a significant amount of items belonging to the conservator's deceased father, Tim Stott.

Ms. Johnson states she is awaiting the receipt and the informal accounting from Mr. Shahbazian.

Guardian Silva, Scott (Pro Per – Maternal Uncle – Guardian – Petitioner)

Guardian Silva, Mary (Pro Per – Maternal Aunt – Guardian – Petitioner)

Petition for Termination of Guardianship

| | | | | |
|-------------------|---------------|---------------------------|---|---|
| | | See petition for details. | NEEDS/PROBLEMS/COMMENTS: Continued from 3/21/16. As of 4/20/16, nothing further has been filed. The following issues remain noted: 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on the minor and all relatives per Probate Code §1460(b)(5): - Levi Moore (Minor) - Kevin Moore (Father) - Nancy Moore (Mother) - Jerry Moore (Pat. Grandfather) - Diane Moore (Pat. Grandmother) - Lamon Colvin (Mat. Grandfather) - Mat. Grandmother (name not provided) - Rodney Moore (Sibling) - Roy Moore (Sibling) - Tzietel Moore (Sibling) | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Cont. from 032116 | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| | Notice of Hrg | | | X |
| | Aff.Mail | | | X |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | | | |
| | Conf. Screen | | | |
| | Letters | | | |
| | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| ✓ | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | Reviewed by: skC | |
| | | | Reviewed on: 4/20/16 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 7- Moore | |

8 Teresa Rae Holguin and JB Ferris (GUARD/P) Case No. 14CEPR00516

Guardian Reyes, Rosario (Pro Per – Non-Relative – Petitioner)

Guardian Reyes, Daniel (Pro Per – Non-Relative – Petitioner)

Petition for Appointment of Guardian of the Person

| | | | | |
|---------------------------|--|--|--|--|
| See petition for details. | | | NEEDS/PROBLEMS/COMMENTS: | |
| | | | <u>Minute Order 3/21/16</u> : Examiner notes provided in open court. Nancy Falcucci, mother, represents that the father of JB is Gilbert Bracemonte of Fresno. Ms. Falcucci objects to the guardianship; written objections are to be filed and properly served by 4/4/16. | |
| | | | <u>Note</u> : As of 4/20/16, no objections have been filed. | |
| | | | 1. Petitioners filed a Declaration of Due Diligence re the father, paternal grandparents, and maternal grandfather on 4/8/16. If diligence is not found, need notice per Probate Code §1511 on father, paternal grandparents, and maternal grandfather. | |
| | | | Reviewed by: skc | |
| | | | Reviewed on: 4/20/16 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 8- Holguin/ Ferris | |

| | | |
|-------------------|---------------|---|
| Cont. from 032116 | | |
| | Aff.Sub.Wit. | |
| ✓ | Verified | |
| | Inventory | |
| | PTC | |
| | Not.Cred. | |
| ✓ | Notice of Hrg | |
| ✓ | Aff.Mail | W |
| | Aff.Pub. | |
| | Sp.Ntc. | |
| ✓ | Pers.Serv. | W |
| ✓ | Conf. Screen | |
| ✓ | Letters | |
| ✓ | Duties/Supp | |
| | Objections | |
| | Video Receipt | |
| ✓ | DSS Report | |
| ✓ | Clearances | |
| ✓ | Order | |
| | Aff. Posting | |
| | Status Rpt | |
| ✓ | UCCJEA | |
| | Citation | |
| | FTB Notice | |

Probate Status Hearing

RE: Balance of Monies and Amount to be Distributed

| | | |
|--------------------------|--|--|
| DOD: 4/28/89 | FREMONT GRAVES , Son-in-law, was appointed as Special Administrator on 8/27/14 with authorization to obtain a settlement check from the Black Farmers' Discrimination Litigation Claims Administrator and deposit same into a blocked account (\$62,500.00, later determined to be \$50,00.00) | NEEDS/PROBLEMS/COMMENTS: |
| | | |
| | | |
| | | |
| Cont. from 012516 | | |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | <p>Mr. Graves was removed at the status hearing on 2/2/15 and the FRESNO COUNTY PUBLIC ADMINISTRATOR was appointed Special Administrator.</p> <p>At the hearing on 4/27/15, Mr. Graves represented to the Court that he has a cashier's check in the amount of \$35,000.00 in his possession. The Court ordered Mr. Graves to deliver said check to the Public Administrator's office.</p> <p>Mr. Graves filed a declaration on 7/8/15. See declaration for details.</p> <p>Per Minute Order 7/13/15, Ms. Kruthers states that the Public Administrator sees no point for surcharge of Mr. Graves, and requests six months to report at that time how much has been spent down.</p> <p>Status Report filed 1/6/16 states the estate currently has \$13,464.20. Rather than make a distribution to a conservator, which would likely not be Fremont Graves, the PA has made monthly distributions to the beneficiary to pay ongoing bills. Once the money was spent, the PA will file an account, request for fees, and a petition to close the estate. Monthly payments are \$2,560. The above balance includes the payment already made for January.</p> <p>The PA and County Counsel anticipate the fees and costs of administration to be approx. \$3,000.00, which leaves about \$10,000 for distribution. Therefore, the PA estimates filing a final account within the next four months. The PA respectfully requests that the next status hearing not be set before 4/25/16.</p> | <p>OFF CALENDAR</p> <p>First and Final Account filed 4/20/16 is set for hearing on 6/1/16</p> |
| | | Reviewed by: skc |
| | | Reviewed on: 4/20/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 9- Logan |

Petition for Instructions

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---------------|--------------|--|---|----------|--|--|-----------|--|--|-----|--|--|-----------|--|---|---------------|--|---|----------|---|--|----------|--|--|---------|--|--|------------|--|--|--------------|--|--|---------|--|--|-------------|--|--|------------|--|--|---------------|--|--|-----------|--|--|------|--|---|-------|--|--|--------------|--|--|------------|--|--|--------|--|--|----------|--|--|------------|--|--|---|-------------------------|-----------------------------|-------------------------|------------------------|------------------------|
| DOD: 2/26/14 Cont. from 032116 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 5%;"></td><td style="width: 85%;">Aff.Sub.Wit.</td><td style="width: 10%;"></td></tr> <tr><td>✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td>✓</td><td>Notice of Hrg</td><td></td></tr> <tr><td>✓</td><td>Aff.Mail</td><td>W</td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td></td></tr> <tr><td></td><td>Conf. Screen</td><td></td></tr> <tr><td></td><td>Letters</td><td></td></tr> <tr><td></td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td>✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td></td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table> | | Aff.Sub.Wit. | | ✓ | Verified | | | Inventory | | | PTC | | | Not.Cred. | | ✓ | Notice of Hrg | | ✓ | Aff.Mail | W | | Aff.Pub. | | | Sp.Ntc. | | | Pers.Serv. | | | Conf. Screen | | | Letters | | | Duties/Supp | | | Objections | | | Video Receipt | | | CI Report | | | 9202 | | ✓ | Order | | | Aff. Posting | | | Status Rpt | | | UCCJEA | | | Citation | | | FTB Notice | | <p>MARIA G. CAMPOS, Surviving Spouse and Administrator with Full IAEA with bond of \$181,123.00, is Petitioner.</p> <p>Petitioner states on 5/29/02, the decedent and his brother Omar Campos purchased and took title as to an undivided one-half interest each to the decedent and Omar of two parcels that contain agricultural land that they farmed together.</p> <p>Parcel 1 consists of 15 acres and Parcel 2 consists of 10 acres. Omar and his family reside at Parcel 1 and pay property taxes thereon, and the decedent and his family resided at Parcel 2. Petitioner and the decedent's children continue to reside at Parcel 2 and Petitioner has been paying the property taxes thereon since her husband's death.</p> <p>It is the intention of Omar to deed his one-half interest in 1691 N. Lassen to Petitioner as Administrator of the decedent's estate, and Petitioner desires to deed the decedent's one-half interest in Parcel 1 from the estate to Omar.</p> <p>The transfer will not cause harm to the estate and are what Petitioner believes the decedent would have wanted in the event anything happened to Omar. It was always mutually understood between the decedent and his brother that they would each own the parcel where their family lived. The decedent's death was unexpected as the result of an auto accident and it is believed that he would want his brother to remain in his home and for his children to remain in their home. The transfer will benefit both families.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 3/21/16:</u> The Court will appoint a Guardian ad Litem for the minors from the Probate attorney list.</p> <p><u>Note:</u> On 3/23/16, Attorney Marvin T. Helon was appointed as Guardian ad Litem for both minor heirs.</p> <p><u>Note:</u> A status report was filed by Mr. Fanucchi on 4/21/16. See Page 2.</p> <p><u>Note:</u> I&A filed 12/30/14 reflects values for each parcel as follows: Parcel 1 (50%): \$225,000.00 Parcel 2 (50%): \$175,000.00 1.25 acres: \$340,000.00</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Reviewed by: skc</td></tr> <tr><td>Reviewed on: 4/20/16</td></tr> <tr><td>Updates: 4/21/16</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 10- Campos</td></tr> </table> | Reviewed by: skc | Reviewed on: 4/20/16 | Updates: 4/21/16 | Recommendation: | File 10- Campos |
| | Aff.Sub.Wit. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ✓ | Verified | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Inventory | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | PTC | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Not.Cred. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ✓ | Notice of Hrg | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ✓ | Aff.Mail | W | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Aff.Pub. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Sp.Ntc. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Pers.Serv. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Conf. Screen | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Letters | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Duties/Supp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Objections | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Video Receipt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | CI Report | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 9202 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ✓ | Order | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Aff. Posting | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Status Rpt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | UCCJEA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Citation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | FTB Notice | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reviewed by: skc | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reviewed on: 4/20/16 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Updates: 4/21/16 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recommendation: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| File 10- Campos | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Page 2

Petitioner states on 11/1/05, the decedent's parents Rafael and Consuelo Campos owned 20 acres with their residence being on 1.25 acres of said 20 acres with a common address on S. Madera Avenue in Kerman. The City of Kerman has interested in purchasing the acreage without the 1.25 acres and it was suggested to put the 1.25 acres in the name of an another party for a smoother transfer to the city. The 1.25 acres was gifted to the decedent on 11/1/05.

Petitioner states the sale never took place, as the City of Kerman ultimately decided not to purchase the property; however, the 1.25 acre parcel was never deeded back to the decedent's parents. His parents have continuously resided and currently reside on that 1.25 acre parcel. See attached declaration.

Petitioner believes it was the decedent's understanding that the property was always intended to be transferred back to his parents.

Petitioner seeks authorization and instruction by this Court to perform the following acts before taking action in the administration and management of the estate:

1. To deed the decedent's interest in Parcel 1 to Omar Campos, the decedent's brother; and
2. To deed the decedent's interest in the 1.25 acres on Madera Ave., in Kerman to the decedent's parents, Rafael and Consuelo Campos.

Status Report filed 4/21/16 by Attorney Fanucchi states in addition to ordering that a guardian ad litem be appointed for the minor children, the Court requested further documentation of how the properties were acquired and what funds were used for purchase. They have the deeds, but it will take more time to accumulate the documents of payments made, if they can.

Mr. Fanucchi states he has been working with the administrator and family members to acquire the documentation for the purchase and transfer of the properties, and they are trying to locate the transaction (uncompleted) between the City of Kerman and the Decedent's parents and the issue of merger of title. The two documents of title are attached as Exhibit A. The parents used Realtor/Investor Ken Boyd of Kerman for their real estate transactions and Mr. Fanucchi has spoken to him.

The administrator, as mother of the two surviving children, supports this division of the parcels and has understood, and continues to understand, that the plan of the brothers had always been that the 10 acre parcel would go to the decedent and the 15 acre parcel would go to his brother. She does not intend to be in dereliction of that plan.

Therefore, it is respectfully requested that this matter be continued for 30 days in order to gather further information as requested and provide same to Mr. Helon as guardian ad litem for the minors.

Petition to Compel Account

| | | | |
|--|----------------------|---|---|
| DOD: 10/3/12 | | HOLLY FOLEY , Beneficiary, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | Petitioner states the trust was created 3/29/05 by Virginia Howard as Settlor and Trustee and amended and restated in its entirety on 7/4/11, and amended again on 8/12/11. Petitioner is informed and believes that VICTORIA HOWARD is currently the sole trustee, VAUGHN HOWARD having resigned on or about 6/23/14. | Note: On 10/27/14, the Court removed Victoria Howard as the trustee and appointed the Public Administrator as the successor trustee. |
| Cont. from 092914, 102714, 012615, 042715, 062915, 083115, 092815, 011116 | | Petitioner states Virginia Howard died 10/3/12. Petitioner alleges the value of the trust at her death was over \$600,000.00. | Minute Order 1/11/16: Ms. Kruthers represents that the assets are investments that will not mature until 2017 and 2019; she requests 90 days to file a final account with a proposal for preliminary distribution. |
| <input type="checkbox"/> | Aff.Sub.Wit. | | Note: The last status report was filed 9/25/15 by Public Administrator. See additional pages. |
| <input checked="" type="checkbox"/> | Verified | | As of 4/20/16, nothing further has been filed by Petitioner or the PA. |
| <input type="checkbox"/> | Inventory | | Update: A status report was filed by the PA on 4/22/16. See Page 2. |
| <input type="checkbox"/> | PTC | | The following issues remain noted: |
| <input type="checkbox"/> | Not.Cred. | | <u>SEE ADDITIONAL PAGES</u> |
| <input checked="" type="checkbox"/> | Notice of Hrg | | Reviewed by: skc |
| <input checked="" type="checkbox"/> | Aff.Mail | W | Reviewed on: 4/20/16 |
| <input type="checkbox"/> | Aff.Pub. | | Updates: 4/22/16 |
| <input type="checkbox"/> | Sp.Ntc. | | Recommendation: |
| <input type="checkbox"/> | Pers.Serv. | | File 11 - Howard |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |

Page 2

First Supplement to Petition to Compel Account filed 10/22/14 states Attorney Gilbert Fleming continued to assist the trustees until about January 2014. Thereafter, Mr. Fleming continued to principally administer the trust from Fresno County, where the decedent resided and where both trust accounts and real property were located.

Petitioner is informed and believes that the remaining assets consist of a very small amount of money in the trust account, the trustee having depleted the account while still residing in Fresno, and the trust's interest in an investment fund.

No petition to transfer administration has been filed pursuant to § 17401 and Section 12.05 of the trust. Accordingly, administration continues to be Fresno County and venue is proper in Fresno County.

Though counsel for petitioner have repeatedly inquired as to whether the trustee has retained new counsel after Mr. Fleming withdrew in January 2014, Petitioner is informed and believes that the trustee has not, and remains unrepresented.

Status Report filed 9/25/15 by the Public Administrator states the status hearing was continued to 9/28/15 to determine what other assets besides the property that was sold have been collected by the former administrator and what still remains. The PA received bank statements from an account at Central Valley Community Bank. The vesting on the account is Virginia Howard Revocable Trust dtd 3/29/05, Virginia G Howard Trustee Victoria L. Howard Trustee. The address is Victoria's address in Iowa. The account was closed in Dec. 2014. On 9/11/15, the PA emailed Attorney Eric Schaffer asking what documentation he needs to direct Winrod Investments to begin sending dividend payments to the PA as successor trustee. No response has been received, but he did say in a prior letter that interest checks of \$12,120.73 since 10/3/12 have been sent to Victoria Howard.

Status Report filed 4/22/16 by the Public Administrator states according to documents turned over to the PA by Gilbert Fleming, there existed three accounts at Central Valley Community Bank totaling \$44,140.86 at the decedent's death, including checking, savings, and a CD that was due to mature on 12/28/12. Several days before Virginia died, on 9/28/12, \$5,000 was deposited into her account through a telephone credit and on 10/1/12, two days before her death, a deposit of \$25,580.92 was made to the checking account. That same day, a \$10,000 withdrawal was made. Although the large deposit is not identified, it is possible that it is the balance of the CD redeemed early, with penalties, and the savings account because thereafter statements were only provided for the checking account. See report for various transactions. The report notes that an overdraft fee was charged the same date as the \$5,000 telephone transfer into the account, and one of the checks written was for \$4,000.

From the PA's calculations, it appears that at Virginia Howard's date of death, there was approx. \$17,342.61 cash in bank accounts. The real property sold 5/23/14 for \$299,377.55 (\$288,484.80 net to seller). Vaughn Howard confirmed that he received his share from the sale of the real property, but has not received any other distribution.

SEE ADDITIONAL PAGES

Page 3

Status Report of PA (Cont'd): According to the records, the value of the Winrod Investments on the date of death was \$464,264.07, and correspondence with Winrod's attorney confirmed that dividend checks totaling \$12,120.73 from 10/3/12 through 8/31/15 had been sent to Victoria Howard in Iowa. The last statement for the period ending 3/31/16 reveals a current value of \$382,242.24. Since 9/30/15, dividends have been reinvested into the account.

The Public Administrator has no cash assets. The PA has marshalled the Winrod Investments Fund in that statements are now being sent to the PA's address and dividends reinvested rather than paid to Victoria Howard. The investments, however, do not mature until 2019 and 2021.

The Public Administrator has two possible recommendations:

- 1) Holly Foley, client of Mark Poochigian, be appointed as successor administrator, since she is a beneficiary;
- 2) Leave the PA in place and set a status hearing for 2019 to marshal the first investment.

SEE ADDITIONAL PAGES

Page 4 – NEEDS/PROBLEMS/COMMENTS: The following issues with this petition remain noted:

- 1. Petitioner states Fresno County is the proper venue pursuant to Probate Code §17005 (a)(1) (principal place of administration); however, the current trustee, Victoria Howard, resides in Red Oak, Iowa, and the most recent former trustee, Vaughn Howard, resides in Omaha, Nebraska. Petitioner resides in Fremont, CA. Need clarification as to how Fresno County, CA, is the proper venue for this petition.**
- 2. Petitioner provides the names and addresses of the beneficiaries, but does not state if these are all of the people entitled to notice pursuant to Probate Code §17201. Need clarification.**
- 3. Petitioner mentions receipt of an inventory from the “Trustee’s former legal counsel.” Pursuant to Probate Code §1214, if the trustee is currently represented, notice is required to be served on the attorney, and Probate Code §17203 requires 30 days’ notice.**

The Court may require clarification as to how Petitioner knows that the trustee is no longer represented by the attorney who provided the inventory, and may require continuance for notice to the attorney for the trustee, if any.

Note: The trust and amendments were prepared by Attorney Gilbert B. Fleming of Fresno, CA. Is this the attorney that served the inventory? If so, is this the basis for venue in Fresno?

Note: Probate Code §17002 states:

17002. (a) The principal place of administration of the trust is the usual place where the day-to-day activity of the trust is carried on by the trustee or its representative who is primarily responsible for the administration of the trust.

(b) If the principal place of administration of the trust cannot be determined under subdivision (a), it shall be determined as follows:

(1) If the trust has a single trustee, the principal place of administration of the trust is the trustee's residence or usual place of business.

(2) If the trust has more than one trustee, the principal place of administration of the trust is the residence or usual place of business of any of the cotrustees as agreed upon by them or, if not, the residence or usual place of business of any of the cotrustees.

If Mr. Fleming withdrew as counsel for the trustees, how did administration of the trust continue in Fresno without him? Pursuant to Probate Code §17002, the principal place of administration follows the trustee.

§17400 applies to trusts that are already before the Court. That is not the case here, and the trust section referenced does not appear to require petition to the Court for transfer. The trust has never been before this Court.

If Mr. Fleming’s former representation of the trustee is the basis for Fresno as venue, Mr. Fleming is entitled to Notice of Hearing on Mr. Fleming at least 30 days prior to the hearing pursuant to §17203 and §1214.

**12 Antoine Hemingway, Trinity Hemingway and
Confidence Kelly (Minors) (GUARD/P)**

Petitioner: Monay Hemingway (Pro per - Mother)

Case No. 14CEPR01035

Petition for Termination of Guardianship

| | | | |
|--------------------------|----------------------|--|--|
| | | MONAY HEMINGWAY , mother, is petitioner and requests to terminate guardianship. Court Investigator report filed 3/7/2016. Court Investigator supplemental report filed 4/18/2016. | NEEDS/PROBLEMS/COMMENTS: Continued from 3/14/16. Minute order states the court orders the court investigator to meet with the parties and report as to who all is living in mother's home and make recommendation to court due to the court's concern that mother is still living with boyfriend, Robert Fairly. 1. Petitioner filed declaration of due diligence for Guardian Rebecca Bryant. If court does not excuse notice, need proof of service 15 days before the hearing of <i>Notice of Hearing</i> <u>or</u> consent and waiver of notice for Guardian Rebecca Bryant. |
| | | | |
| | | | |
| | | | |
| Cont. from 031416 | | | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | x | |
| | Aff.Mail | x | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| ✓ | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: SEF Reviewed on: 4/20/2016 Updates: Recommendation: File 12- Hemingway/Kelly |

13B Destiny Viera & Alyssa Viera (GUARD/P)**Case No. 15CEPR00087**

Guardian: Jose Viera (pro per)

Guardian: Denise Gutierrez (pro per)

Petitioner: Miguel Toribio (pro per)

Petitioner: Jasmin Toribio (pro per)

Petition for Appointment of Guardian of the Person

| | | | | |
|-------------------|--------------------------|----|--|--|
| | | | MIGUEL TORIBIO and JASMIN TORIBIO , paternal cousins, are petitioners. | NEEDS/PROBLEMS/COMMENTS: |
| | | | | |
| | | | Please see petition for details. | Continued to 6/6/16 at the request of petitioner Jasmin Toribio. |
| | | | | |
| Cont. from | | | Court Investigator Report filed on 4/18/16 | 1. Need proof of personal service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice or declaration of due diligence on: a. Herman Viera (father) |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | |
| ✓ | Aff.Mail | W/ | | |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | X | | |
| | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| ✓ | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | Reviewed by: KT |
| | Status Rpt | | | Reviewed on: 4/20/16 |
| ✓ | UCCJEA | | | Updates: |
| | Citation | | | Recommendation: |
| | FTB Notice | | | File 13B- Viera |

13B

13A Destiny Viera & Alyssa Viera (GUARD/P)**Case No. 15CEPR00087**

Petitioner/Guardian: Jose Viera (pro per)

Petitioner/Guardian: Denise Gutierrez (pro per)

Petition for Termination of Guardianship

| | | | |
|-------------------------------------|--------------------------|---|---|
| | | JOSE VIERA and DENISE GUTIERREZ, guardians are petitioners. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | Please see petition for details. | Continued to 6/6/16 at the request of petitioner Denise Gutierrez. |
| | | | |
| Cont. from | | Court Investigator Report filed on 4/18/16 | 1. Need Notice of Hearing. |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | 2. Need proof of service of the Notice of Hearing on: a. Herman Viera (father) b. Bianca Cervantes (mother) c. Pablo Viera (paternal grandfather) d. Estela Viera (paternal grandmother) e. Sylvia Garcia (maternal grandmother) |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> | Aff.Mail | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input checked="" type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 4/20/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 13A- Viera |

13A

14 Justus Vargas-Sage (GUARD/P)**Case No. 15CEPR00775**

Petitioner: Sergio Robert Arreola (Pro per)

Objector: Joey Vargas (Pro per)

Petition for Appointment of Guardian of the Person

| | | | | |
|-------------------------------------|----------------------|--|---|----|
| | | <p>THERE IS NO TEMPORARY <i>Temporary was denied.</i></p> <p>SERGIO ROBERT ARREOLA, non-relative, is petitioner. Petitioner is the father of Justus' brother Sergio.</p> <p><i>See petition for details.</i></p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service 15 days before the hearing of the <i>Notice of Hearing</i> along with a copy of the petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ol style="list-style-type: none"> a. Joseph Ronnie Munoz (father) b. Joey Vargas (mother) 3. Need proof of mailed service 15 days prior to hearing of the <i>Notice of Hearing</i> along with a copy of the petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ol style="list-style-type: none"> a. Paternal grandparents b. Kevin Sage (maternal grandfather) c. Guilene Dix (maternal grandmother) | |
| | | | | |
| | | | | |
| | | | | |
| Cont. from | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> | Verified | | | |
| <input type="checkbox"/> | Inventory | | | |
| <input type="checkbox"/> | PTC | | | |
| <input type="checkbox"/> | Not.Cred. | | | |
| <input type="checkbox"/> | Notice of Hrg | | | x |
| <input type="checkbox"/> | Aff.Mail | | | x |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | x |
| <input checked="" type="checkbox"/> | Conf. Screen | | | |
| <input checked="" type="checkbox"/> | Letters | | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | | |
| <input checked="" type="checkbox"/> | Objections | | | w/ |
| <input type="checkbox"/> | Video Receipt | | | |
| <input checked="" type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| <input checked="" type="checkbox"/> | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input checked="" type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| | | | Reviewed by: SEF | |
| | | | Reviewed on: 4/20/2016 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 14- Vargas-Sage | |

Petition to Determine Succession to Real Property (Prob. Code §13150)

| | | | |
|---|---------------|--|--|
| DOD: 8/1/15 | | JACKIE EILEEN LEE, Daughter, is Petitioner. | NEEDS/PROBLEMS/ COMMENTS: |
| | | | |
| | | 40 Days since DOD | <u>Minute Order 2/22/16:</u> Mr. Rindlisbacher will file a substitution form forthwith; he requests a continuance and indicates that they may be able to settle the matter. |
| | | No other proceedings | |
| Cont'd from: 110215, 010416, 022216 | | I&A: \$95,160.00 (\$60.00 cash plus a 100% interest in real property located at 3949 E. Lowe in Fresno and two vehicles) | <u>Note: Withdrawal of Objection was filed 12/29/15.</u> |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | The following issues remain noted: <u>SEE ADDITIONAL PAGES</u> |
| ✓ | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | w/o | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| ✓ | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |

JACKIE EILEEN LEE, Daughter, is Petitioner.

40 Days since DOD

No other proceedings

I&A: \$95,160.00 (\$60.00 cash plus a 100% interest in real property located at 3949 E. Lowe in Fresno and two vehicles)

Will dated 12/8/09 (witnessed 1/19/10) is a California Statutory Will that devises the residence as a specific gift to Petitioner Jackie Eileen Lee, \$20.00 each to Michael Lee, Todd Lee, Willie Lee, Jr., Billy Lee, and Edward Lee, and the balance to Jackie Eileen Lee.

Petitioner requests Court determination that the real property passes to her pursuant to the Decedent's will.

Petitioner filed a Declaration on 11/2/15 in response to Examiner Notes. Petitioner states if the Court requires a filing fee, Petitioner requests she be allowed to make payments. Petitioner states the Examiner Notes are incorrect and that §13151 allows a successor to petition re the real property only without succession to personal property, and Petitioner purposely did not include any request for succession to the personal property. Those entitled to personal property can use an affidavit under §13100 to collect the personal property. No court order under this section is required. Petitioner states she has submitted a declaration regarding efforts to try to locate addresses for the missing heirs. (See Declaration filed 10/15/15.)

Objection filed 12/29/15 by Curtis Lee, Edward Lee, Matthew Lee, Michael Lee, and Donald Eugene Lee, children of Willie Lee and intestate heirs was withdrawn on 4/20/16.

NEEDS/PROBLEMS/
COMMENTS:

Minute Order 2/22/16:
Mr. Rindlisbacher will file a substitution form forthwith; he requests a continuance and indicates that they may be able to settle the matter.

Note: Withdrawal of Objection was filed 12/29/15.

The following issues remain noted:

SEE ADDITIONAL PAGES

Reviewed by: skc

Reviewed on: 4/19/16

Updates: 4/20/16

Recommendation:

File 15 – Lee

Page 2 – NEEDS/PROBLEMS/COMMENTS: The following issues remain noted:

1. **Examiner Notes previously stated:** This petition was filed with a fee waiver. If assets are distributed pursuant to this petition (Estate value \$95,160.00), the filing fee of \$435.00 will be due prior to distribution.

Declaration filed 11/2/15 requests to be allowed to make payments.

Note: As of 4/20/16, the filing fee remains due.

2. **Examiner Notes previously stated:** The I&A includes cash, real property, and two vehicles. Attachment #11 requests only that the real property pass to Petitioner pursuant to the will. However, this leaves the cash bequests and vehicles outstanding. In this type of summary proceeding, all successors in interest must petition together for determination of the assets they are entitled to, and determination is made in one order. Assets cannot be left outstanding.

Therefore, an amended petition together with Michael Lee, Todd Lee, Willie Lee, Jr., Billy Lee, and Edward Lee may be necessary.

Alternatively, the Court may accept written receipts from the above people for their \$20 bequests.

Declaration filed 11/2/15 states the above Examiner's Note misstates the law and is incorrect. Probate Code §13151 states only the successor to a particular item of property that is real property needs to petition the court. This petition may include personal property, but that is not required. Petitioner is only the successor to the real property which is specifically devised to her. She purposefully did not include any request for succession to any item of personal property. Those entitled to personal property can use an affidavit under §13100 to collect the personal property. It is not required to be included in this petition.

Examiner's Note: Examiner is not aware of any authority for leaving known, inventoried assets outstanding and granting only succession to the real property, as Petitioner suggests. Here, the bank account and two vehicles* (*see #3 below) have been inventoried and as such are before the Court.

3. **Item No. 3 of the I&A Attachment No. 2 is not actually a vehicle, but rather appears to be a loss claim on a vehicle with the loss dated 1/29/15 (after the decedent's death).** Need clarification regarding this inventory item. Note that the Inventory and Appraisal should provide date of death values for all assets.
4. **Petitioner's Declaration filed 11/2/15 states** she does not, and is not required to, request determination of succession to any of the personal property assets. However, Examiner notes that pursuant to the will, Petitioner is the successor to both the real and personal property. Therefore, need authority for specifically omitting known, inventoried assets that would pass to this petitioner under the will from this petition and order.
5. **Petitioner states** the addresses of the following relatives, one of whom is an heir, are unknown: Billy Lee, Jr., and Bertha Louise Lee. As noted above, the Court may require all heirs to participate in the petition, or may require a receipt from Billy Lee, and may require notice to Billy Lee and Bertha Louise Lee. **Declaration filed 11/2/15 refers to Declaration of Due Diligence filed 10/15/15.**
6. **"Eddie Lee" is the second named Alternative Executor. Is this the same person as "Edward Lee," who is a beneficiary of a cash bequest under the will?**

Petition for Authorization for Trustee to Expend Trust Assets for Reimbursement of and Approval for Expenses, and for Approval of Attorneys' Fees

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|----------------------|--|---|--|---------------------|--|---|-----------------|--|--|------------------|--|--|------------|--|--|------------------|--|---|----------------------|--|---|-----------------|---|--|-----------------|--|--|----------------|--|--|-------------------|--|--|---------------------|--|--|----------------|--|--|--------------------|--|--|-------------------|--|--|----------------------|--|--|------------------|--|--|-------------|--|---|--------------|--|--|---------------------|--|--|-------------------|--|--|---------------|--|--|-----------------|--|--|
| | | <p>CAROLYN YOUNG, Trustee, with bond of \$334,000.00, is Petitioner.</p> <p>Petitioner states she is the current trustee of the Jovani Youssef Settlement Trust established pursuant to Probate Code §3600, et seq., by order of Fresno County Superior Court on 8/20/15 in 10CECG03582.</p> <p>The Trust was funded with \$290,055.42 on 10/6/15. The trust will become revocable and likely terminate on 10/9/27. The beneficiary is a minor who currently lives with his maternal grandparents in Egypt. His mother passed away five days after giving birth to Jovani. Jovani's father, Romani Youssef, currently lives in Fresno.</p> <p>Petitioner seeks authorization from this Court to expend assets in the amount of \$32,113.20 to reimburse Romani Youssef for 50% of his personal funds expended in the amount of \$64,226.41 for necessary expenditures for the benefit of Jovani prior to the establishment of the trust as follows:</p> <ul style="list-style-type: none"> • 12 MoneyGrams sent to Egypt between 4/4/11 and 12/29/14 totaling \$6,011.41 (see attached copies of MoneyGrams); • Cash of \$1,500.00 carried to Egypt by friends (see attached letters from friends who carried cash); • \$1,380 for a roundtrip airline ticket from Los Angeles to Alexandria on 5/31/11 to 6/11/11 for Mr. Youssef to visit Jovani (see attached travel itinerary); • An additional \$55,335.00 was spent for Jovani and his grandparents to travel to and from Egypt (\$14,100), additional travel expenses (\$3,135), childcare expenses (\$14,000); lost wages when Mr. Youssef travelled to Egypt (\$15,000), long distance phone bills (\$5,100), pre-school expenses (\$4,000) (see attached itemization) | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>SEE ADDITIONAL PAGES</u></p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Cont. from 031416</p> <table border="1"> <tr> <td></td> <td>Aff.Sub.Wit.</td> <td></td> </tr> <tr> <td>✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td>✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td>✓</td> <td>Aff.Mail</td> <td>W</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td></td> <td>Letters</td> <td></td> </tr> <tr> <td></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td>✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table> | | | | | Aff.Sub.Wit. | | ✓ | Verified | | | Inventory | | | PTC | | | Not.Cred. | | ✓ | Notice of Hrg | | ✓ | Aff.Mail | W | | Aff.Pub. | | | Sp.Ntc. | | | Pers.Serv. | | | Conf. Screen | | | Letters | | | Duties/Supp | | | Objections | | | Video Receipt | | | CI Report | | | 9202 | | ✓ | Order | | | Aff. Posting | | | Status Rpt | | | UCCJEA | | | Citation | | |
| | Aff.Sub.Wit. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ✓ | Verified | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Inventory | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | PTC | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Not.Cred. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ✓ | Notice of Hrg | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ✓ | Aff.Mail | W | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Aff.Pub. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Sp.Ntc. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Pers.Serv. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Conf. Screen | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Letters | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Duties/Supp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Objections | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Video Receipt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | CI Report | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 9202 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ✓ | Order | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Aff. Posting | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Status Rpt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | UCCJEA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Citation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | FTB Notice | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | <p>Reviewed by: skc</p> <p>Reviewed on: 4/19/16</p> <p>Updates: 4/21/16</p> <p>Recommendation:</p> <p>File 16- Youssef</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

SEE ADDITIONAL PAGES

Page 2

Petitioner states all of these expenses directly result from the loss of Jovani's mother and the need for him to live in Egypt with his grandparents. Jovani's father as a single working parent cannot provide the proper home environment to raise a small child and the best option for Jovani's future is for him to live with his caring grandparents. Unfortunately, the distance of their home and the costs involved in supporting Jovani there are significant.

Due to the extraordinary nature of Jovani's living situation and the costs associated therewith, Petitioner requests that Mr. Youssef be reimbursed 50% of the \$64,226.41, or \$32,113.20, for disbursements he made using personal funds for the benefit of Jovani.

Request for authorization to expend trust assets for ongoing expenses: Petitioner states currently, Jovani's maternal grandparents provide for all his needs. They pay for Jovani's schooling, his psychotherapy, and all of his living expenses. The estimate for the annual expenses is \$25,000. Petitioner seeks authorization to expend trust assets in the amount of \$3,125 every three months to finance 50% or \$12,500 of the estimated annual expenses for Jovani's needs and benefits. The other 50% will be financed by his father and his maternal grandparents.

Attorneys' fees: Petitioner states the trustee has engaged the services of the Dale Law Firm in preparation of this petition and its presentation to the Court. The law firm is entitled to reasonable compensation. **Declaration filed 2/22/16 requests ~~\$2,106.66~~ \$1,890.00 as follows:**

- Legal fees of \$1,470 for 7 paralegal hours @ \$150/hr and 1.4 attorney hours @ \$300/hr, for correspondence, case review, preparation of this petition
- ~~— Costs of \$216.66 for overnight mailing, photocopies, court call appearance, etc.~~
(Costs eliminated per Declaration filed 4/6/16.)
- Anticipated fee of \$450.00 for 1 hour of attorney time and 1 hour of paralegal time that will be further expended in preparing for and appearing at the hearing.
- Unspecified credit of \$30.00.

Petitioner prays that this Court find and order as follows:

1. That notice of hearing for this matter has been given as required by law;
2. That the Court authorize the Trustee of the Jovani Youssef Settlement Trust to reimburse Mr. Youssef in the amount of \$32,113.20 for disbursements made from personal funds for the benefit of Jovani;
3. That the Court approve quarterly disbursements from the Jovani Youssef Settlement Trust in the amount of \$3,125 for Jovani's ongoing needs;
4. That the Court authorize and direct Petitioner to pay from the Jovani Youssef Settlement Trust to the Dale Law Firm reasonable compensation for legal services as set forth in the declaration; and
5. For such other order and relief as the Court deems proper and just.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

Note: Examiner notes previously noted that the minor's maternal grandparents, with whom he resides in Egypt, had not been identified or served. They have now been identified and properly served.

Note: Examiner notes previously requested information about the Trustee. Declaration filed 4/6/16 states she is a professional fiduciary and provides her office address in Sacramento, CA.

Note: Examiner notes previously noted that the petition provided the initial funding amount \$290,055.42, but did not indicate how funds were held or current balance. **Declaration filed 4/6/16 states** the balance as of 1/31/16 was \$271,322.14, and describes that disbursements have been made for bond premium of \$1,262.00, \$3,500.00 in attorney fees to Dale Law Firm, plus \$435.00, and reimbursement to Petitioner of \$3,060 for Jovani's school. The difference of roughly \$10,000.00 represents a loss of investments in the stock market.

Examiner's Note: *Was the \$3,500.00 paid to the Dale Law Firm authorized by the Court?*
Declaration filed 4/21/16 states *fees were paid pursuant to a representation agreement between the Dale Law Firm and Romani Zakaria Youssef and Antonne Youssef, Jovani's father and uncle, for preparation of and assistance with the establishment of the Jovani Youssef Settlement Trust. Insomuch as the Dale Law Firm was not representing the Trustee, court approval was not required.*

Note: Examiner notes previously requested receipts from Jovani's grandparents for the \$7,511.41 in MoneyGrams and cash delivered by friends and the \$14,000.00 paid to them for child care expenses. Attached to the Declaration filed 4/6/16 are receipts from the purchase of the MoneyGrams and letters from the friends who delivered funds (total receipts \$7,511.41). However, the Declaration states Petitioner does not have receipts for the \$14,000.00.

Note: Examiner notes previously requested clarification regarding the \$15,000 requested for lost wages for Petitioner's visits to Egypt to see his son, itemized as "3 weeks off from work for each trip x 3 trips - \$15,000.00." Declaration filed 4/6/16 explains that Petitioner is paid hourly and tips, and receives no compensation if he does not work. Attached are wage statements and airline receipts for trips.

Note: Examiner notes previously requested clarification regarding the \$5,100.00 in long distance phone bills, itemized as phone/skype/internet at \$85/month for five years, as this amount appears to be a typical household monthly expense regardless of the minor residing in Egypt. Declaration filed 4/6/16 states were it not for the fact that Jovani lives abroad, his father would not need to skype and have phone calls with his son and in-laws on a regular basis. This communication is vital and valuable for all parties, particularly for Jovani's emotional well-being.

SEE ADDITIONAL PAGES

Page 4 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

Note: Examiner notes previously questioned the \$4,000 paid for pre-school (" \$1,000/year x 3 years (paid by father in law?)." Declaration filed 4/6/16 states Petitioner reimburses Jovani's grandfather, who pays the expenses. Attached is a fee statement for the school indicating 6,000 L.E. (6,000 Egyptian pounds) dated November 2015.

Note: Examiner notes previously requested further information regarding the minor's current support situation with reference to a parent's duty to support his or her minor child and with reference to any other income/support available to the minor or caregivers. Are there any formal custody or support agreements or orders or public or other assistance in place or being received? If so, by whom and from whom? **Declaration filed 4/6/16 states** with the passing of Jovani's mother, the burden of child support shifted from both parents to Jovani's father, now a single parent. There are no custody or support agreements in place because Petitioner remains his guardian. Jovani's trust was funded with settlement proceeds resulting from the loss of his mother, so trust funds can appropriately be used to supplement Jovani's care and support needs. If not for the loss of his mother, the expenses associated with his care in Egypt would not be necessary as Jovani would be living with and supported by his parents. Tragically, that is not the case.

Note: Examiner notes previously requested information regarding the request for quarterly support payments payable to Petitioner, when Jovani is not in Petitioner's care. **Declaration filed 4/6/16 states** the quarterly support payments will be paid to Petitioner as reimbursement, as he will have advanced funds to Jovani's grandfather.

Note: Examiner notes previously stated the Court may require authority and/or other relevant details regarding the trust and payments and support therefrom that may be relevant due to the minor permanently residing outside of the State of California in a foreign country. Declaration filed 4/6/16 states there is no legal authority stating that a beneficiary of a settlement trust has to reside in California. Jovani's place of residence has no implication on the administration of the trust, so long as it is used for the sole benefit of Jovani.

Note: The Court will set status hearings as follows:

- **Monday, December 5, 2016 for the filing of the first account**

If the proper items are on file, the status hearings may come off calendar. See Local Rule 7.5.

17

Jordan Peralta (GUARD/P)

Case No. 16CEPR00043

Petitioner

Artellan, Cathy (Pro Per – Maternal Grandmother – Petitioner)

Petitioner

Artellan, Gerald (Pro Per – Maternal Step-Grandfather – Petitioner)

Petition for Appointment of Guardian of the Person

| | | | |
|---------------------------|---------------|---|--|
| See petition for details. | | | NEEDS/PROBLEMS/ COMMENTS: |
| | | | |
| | | | <u>Minute Order 3/14/16:</u> Petitioners state they are waiting for return of signed consents. |
| | | | |
| Cont. from 031416 | | | As of 4/20/16, the following issue remains: |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | <p>1. Need proof of service of Notice of Hearing (GC-020) with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</p> <p>- Maternal Grandfather</p> |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | X | |
| | Aff.Mail | X | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | X | |
| ✓ | Conf. Screen | | |
| ✓ | Letters | | |
| ✓ | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| ✓ | CI Report | | |
| ✓ | Clearances | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | Reviewed on: 4/20/16 |
| ✓ | UCCJEA | | Updates: |
| | Citation | | Recommendation: |
| | FTB Notice | | File 17- Peralta |

17

Petitioner Garcia, Gloria Lira (Pro Per – Maternal Grandmother – Petitioner)

Petitioner Gonzalez, Juanita (Pro Per – Maternal Aunt – Petitioner)

Petition for Appointment of Guardian of the Person

| | | | | |
|-------------------|---------------|---------------------------|---|---|
| | | See petition for details. | NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 3/14/16:</u> Juanita Gonzalez represents that Mario Garcia is an adult sibling of the minors; matter continued due to the remaining service defects. The following issue remains noted: 1. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandfather (name not listed) - Siblings age 12 or older, if diligence is not found. | |
| | | | | |
| | | | | |
| | | | | |
| Cont. from 031416 | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | |
| | Aff.Mail | | | X |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| ✓ | Pers.Serv. | | | |
| ✓ | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| ✓ | CI Report | | | |
| ✓ | Clearances | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| ✓ | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | Reviewed by: skc | |
| | | | Reviewed on: 4/20/16 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 18- Garcia/ Gonzalez | |

**Petition for Letters of Administration and Authorization to Administer Under
the Independent Administration of Estates Act**

| | | | | |
|-------------------------------------|----------------------|--|--|--|
| DOD: 11/29/2009 | | GERALDINE LAVONNE COLLINS , spouse, is petitioner and requests appointment as administrator with Limited IAEA with bond of \$87,000. | NEEDS/PROBLEMS/COMMENTS: Continued from 3/14/16. Minute order states Scott Collins (son) requests a continuance to obtain counsel. The court orders written objections to be filed and properly served by 4/8/16; oral objections will not be considered in court. Matter was continued to 4/25/16. As of 4/20/16, no objections have been filed with the court. | |
| | | | | |
| | | | | |
| | | | | |
| Cont. from 031416 | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | Petitioner is a resident of Williams, Arizona |
| <input checked="" type="checkbox"/> | Verified | | | Limited IAEA – o.k. |
| <input type="checkbox"/> | Inventory | | | Decedent died intestate |
| <input type="checkbox"/> | PTC | | | Residence: Clovis |
| <input type="checkbox"/> | Not.Cred. | | | Publication: Business Journal |
| <input checked="" type="checkbox"/> | Notice of Hrg | | | |
| <input checked="" type="checkbox"/> | Aff.Mail | w/ | | |
| <input checked="" type="checkbox"/> | Aff.Pub. | Estimated value of the estate: Personal property \$ 87,000.00 Annual gross income \$ 0.00 Real property \$ 0.00 Total \$ 87,000.00 | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | |
| <input type="checkbox"/> | Conf. Screen | | | |
| <input checked="" type="checkbox"/> | Letters | Probate Referee: Rick Smith | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| <input checked="" type="checkbox"/> | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |

Reviewed by: SEF

Reviewed on: 4/20/2016

Updates:

Recommendation:

File 19- Collins

**Petition for Probate of Will and for Letters of Administration with Will Annexed;
Authorization to Administer Under the IAEA**

| | | | |
|-------------------------------------|----------------------|---|--|
| DOD: 12/29/15 | | <p>CAROLYN CATON, Daughter, is Petitioner and requests appointment as Administrator with Will Annexed without bond.</p> <p>All heirs waive bond.</p> <p>Full IAEA – ok</p> <p>Will dated 5/19/07</p> <p>Residence: Clovis Publication: Business Journal</p> <p>Estimated value of estate: Real property: \$200,000.00</p> <p>Probate Referee: Rick Smith</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If granted, the court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Tuesday, September 27, 2016 for filing Inventory and Appraisal • Tuesday, June 27, 2017 for filing the first account or petition for final distribution <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p> |
| Cont. from | | | |
| <input checked="" type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | | |
| <input checked="" type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | <p>Reviewed by: skc</p> <p>Reviewed on: 4/20/16</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 21- Gentry</p> | |

Petition for Change of Name

| | | | | |
|------------|---------------|----|---|--|
| | | | <p>STEFANIE SCOGGINS DAVIDSON, Trustee, is petitioner.</p> <p>Petitioner states on or about 4/30/14, Raymond Aron Bedrosian established the JENNIFER SCOGGINS SPECIAL NEEDS TRUST.</p> <p>Pursuant to the Trust Agreement, Raymond Aron Bedrosian was the Trustee of said Trust.</p> <p>On 4/12/15, Raymond Aron Bedrosian died.</p> <p>Pursuant to the Trust Agreement, on the death of Raymond Aron Bedrosian, Stephanie Scoggins Davidson became the Successor Trustee.</p> <p>The name of Stephanie Scoggins Davidson in the Trust Agreement is an incorrect spelling. Her driver's license and other documents show her name spelled as Stefanie.</p> <p>The petitioner has tried to open bank accounts for the Trust but the bank refuses to accept the Trust Certifications and refused to open the bank accounts because of Petitioner's name on the on her driver's license is not the same as the name shown on the Trust document.</p> <p>Petitioner requests the Court order that the Stefanie Scoggins Davidson is appointed as Successor Trustee of said Trust in place and instead of Stephanie Scoggins Davidson.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> |
| | | | | |
| | | | | |
| | | | | |
| Cont. from | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | |
| ✓ | Aff.Mail | W/ | | |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | | | |
| | Conf. Screen | | | |
| | Letters | | | |
| | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | <p>Reviewed by: KT</p> <p>Reviewed on: 4/20/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22- Scoggins</p> | |

Petition to Determine Succession to Real Property

| | | | |
|-------------------------------------|----------------------|---|---|
| DOD: 10/4/14 | | ANTONIO GONZALES and ROSE PINEDA are Petitioners. (Relationship not stated) | NEEDS/PROBLEMS/COMMENTS: 1. The petition is blank at #9a(3) and (4) re registered domestic partner. 2. Need Attachment #11, which should provide the legal description of the real property, a description of the personal property, and state the decedent's interest in all assets. 3. Need Attachment #13, which should state the specific property interest claimed by each petitioner. 4. Need Attachment #14, which should list all heirs (names, ages, relationships) pursuant to Probate Code §13152(a)(7). If deceased, need date of death pursuant to Local Rule 7.1.1.D. 5. The Inventory and Appraisal attached to the petition is not verified by the petitioners or signed by the attorney. 6. If there are other persons listed at Attachment #14, need notice to those entitled. 7. Need revised proposed order with attachments 9a and 9b. (Attaching only the I&A descriptions is not appropriate.) |
| | | 40 days since DOD | |
| | | No other proceedings | |
| Cont. from | | I&A: \$69,608.00 (not verified by Petitioners, not signed by attorney) (Assets consist of real property in Coalinga, CA, vehicles, accounts.) | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input checked="" type="checkbox"/> | Inventory | x | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | x | |
| <input checked="" type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | x | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: skc |
| | | | Reviewed on: 4/20/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 23- Gonzales |

Petitioner: Richard Fessenden (pro per)

Petitioner: Cecilia Fessenden (pro per)

Petition for Appointment of Temporary Guardian of the Person

| | | | |
|-------------------------------------|----------------------|--|--|
| | | GENERAL HEARING 6/13/16 | NEEDS/PROBLEMS/COMMENTS: |
| | | TEMPORARY EXPIRES 4/25/16 | |
| | | RICHARD FRESSENDEN and CECILIA FRESSENDEN , maternal grandparents, are petitioners. | 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition, or Consent and Waiver of Notice or Declaration of Due Diligence on: a. William P. Baldwin (father) b. Allison Baldwin (mother) |
| | | Please see petition for details. | |
| Cont. from | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | <input checked="" type="checkbox"/> | |
| <input checked="" type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input checked="" type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 4/20/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 24- Baldwin |

25 Victoria Sanchez, Vanessa Sanchez, and Victor Sanchez (GUARD/P)
Case No. 15CEPR00614

Petitioner Gamez, Sarah L. (Pro Per – Cousin – Petitioner)

Petition for Appointment of Temporary Guardian of the Person

| | | | | |
|-------------------------------------|---------------|--------------------------|---------------------------|--|
| | | | See petition for details. | NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> This petition pertains to Vanessa and Victor only. Victoria (6) has been under guardianship with Mary Jones, maternal great-aunt, since 9/23/15. |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | <input type="checkbox"/> | | |
| <input checked="" type="checkbox"/> | Verified | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Inventory | <input type="checkbox"/> | | |
| <input type="checkbox"/> | PTC | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Not.Cred. | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Notice of Hrg | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Aff.Mail | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Aff.Pub. | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Sp.Ntc. | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Pers.Serv. | <input type="checkbox"/> | | |
| <input checked="" type="checkbox"/> | Conf. Screen | <input type="checkbox"/> | | |
| <input checked="" type="checkbox"/> | Letters | <input type="checkbox"/> | | |
| <input checked="" type="checkbox"/> | Duties/Supp | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Objections | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Video Receipt | <input type="checkbox"/> | | |
| <input type="checkbox"/> | CI Report | <input type="checkbox"/> | | |
| <input type="checkbox"/> | 9202 | <input type="checkbox"/> | | |
| <input checked="" type="checkbox"/> | Order | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Aff. Posting | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Status Rpt | <input type="checkbox"/> | | |
| <input checked="" type="checkbox"/> | UCCJEA | <input type="checkbox"/> | | |
| <input type="checkbox"/> | Citation | <input type="checkbox"/> | | |
| <input type="checkbox"/> | FTB Notice | <input type="checkbox"/> | | |
| | | | Reviewed by: skc | |
| | | | Reviewed on: 4/20/16 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 25- Sanchez | |

Petition for Instruction and Authorization Regarding Sale of Real Property Belonging to the Estate (Probate Code §9611)

| | | | |
|--|----------------------|--|---|
| DOD: 9/22/12 | | FRESNO COUNTY PUBLIC ADMINISTRATOR is Petitioner. | NEEDS/PROBLEMS/COMMENTS: Note: This petition was originally set for 4/8/16; however, pursuant to Order to Shorten Time for Setting Hearing, the matter was reset for 4/25/16 with 10 days' notice required to the heirs. Notice was mailed on 4/14/16. <u>SEE ADDITIONAL PAGES</u> |
| | | | |
| | | | |
| | | | |
| | | | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | w | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| ✓ | Letters | 11/16/15 | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| <p>History: Petitioner was appointed Administrator pursuant to Minute Order 5/19/15 due to competing petitions and dispute among family members. Final I&A was filed 9/23/15 and consists of real property valued at \$120,000.00. Letters issued to the Public Administrator on 11/16/15.</p> <p>Petitioner states the PA had the subject property appraised by the court-appointed referee for a date of death value and a reappraised value. The date of death value is \$120,000. The reappraised value is \$90,000.</p> <p>David Hicks, one of the heirs, offered to buy the property for \$90,000 and Notice of Proposed Action was filed 12/15/15. This resulted in objections by other heirs. Their opinion was that the price was too low, so it was listed through the MLS.</p> <p>A buyer was found that was willing to pay \$125,000, and no objections were received. However, upon inspection, the buyer determined that the house required rewiring, estimated at \$7,000. The buyer revised the offer to \$120,000, which is still \$30,000 over the reappraisal and original offer.</p> <p>David Hicks mailed an objection to County Counsel, stating that he would be writing to the court/judge about this matter. However, to date, nothing has been filed. Lisa Horton, his attorney, stated she was unaware of his objection. She has since spoken to him and indicated that he would like to appear at the hearing to explain his objections to the judge.</p> <p align="center"><u>SEE ADDITIONAL PAGES</u></p> | | | |
| <p>Reviewed by: skc</p> <p>Reviewed on: 4/20/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 26- Hicks</p> | | | |

Page 2

Petitioner states the sale of the real property is necessary to pay fees and costs of administration. Because it is the only asset, it was the PA's plan to sell the property, pay the fees and costs, and distribute the residual proceeds to the heirs.

Petitioner prays that the Court authorize Petitioner to sell the real property over David Hicks' objections and for such other orders as the Court may deem proper.

NEEDS/PROBLEMS/COMMENTS:

1. It appears Letters of Administration issued to the Fresno County Public Administrator on 11/16/15 pursuant to the Minute Order of 5/19/15; however, no Order for Probate (DE-140) was ever presented for signature by the judge. The order is necessary for findings required for jurisdiction. Need Order for Probate.
2. This request is filed under Probate Code §9611, which allows petition for instructions in situations where no other procedure is provided by statute. However, there is a procedure provided by statute for sale of real property: Probate Code §10300 provides for court confirmation of sale upon Report of Sale, which process is designed to provide the maximum benefit to the estate by posting, publication, and overbid process. Need authority to proceed under §9611 under these circumstances.

Petition for Appointment of Temporary Guardian of the Person

| | | | |
|-------------------------------------|---------------|---|--------------------------|
| See petition for details. | | | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input checked="" type="checkbox"/> | Pers.Serv. | W | |
| <input checked="" type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input checked="" type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: skc |
| | | | Reviewed on: 4/21/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 27- Rojas |